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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

GUHARAY, KARABI

ART UNIT PAPER NUMBER

2879

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,161

Applicant(s)

LIEDENBAUM, COEN
THEODORUS HUBERTUS FRA

Examiner

Karabi Guharay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 8-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10-14 is/are rejected.
- 7) ☒ Claim(s) 8,9 and 15-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Amendment, filed on 4/18/05 has been considered and entered.

Amendment of abstract overcomes the objection to the abstract.

Claim Objections

Claims 3 & 12 are objected to since claims 3 & 12 (which depend from claims 2 & 11 respectively) recites "a capillary reservoir", while claims 2 & 11 recite "a reservoir for adhesive", since applicant is referring to same reservoir in claims 2 & 3, and also for claims 11 & 12, claims 3 & 12 should read as "the capillary reservoir " and claims 2 & 11 should read "a capillary reservoir for adhesive". Appropriate corrections should be made.

Further claim 5 is objected to since claim 5 recites " a substantially flat substrate (2)" basically means one of the parts so the claim 5 should read as "one of the parts comprises a substantially flat substrate" (as the language used in claim 14) in order to avoid confusion.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamasaki (US 3990782).

Regarding claim 1, Yamasaki discloses a device (liquid crystal display) comprising two parts (flat glass plates 13, 14 of Fig 1 & Fig 2), which defines a cavity

(internal volume or cell) for accommodating one liquid crystal film and which are sealed together by means of a thermosetting adhesive (epoxy sealing 12) present at the interface (see Fig 2) of the two parts (plates 13, 14), characterized in that at least one channel (capillary channel 21) is provided in the interface wherein the channel is open to the cell (lines 25-58 of column 2).

Regarding claim 2, Yamasaki discloses that a reservoir for the adhesive (filling port 23) is present at one end of the channel (lines 57-59 of column 2).

Regarding claim 3, Yamasaki discloses that the reservoir is outside the cavity (see Fig 3-5).

Regarding claim 4, Yamasaki discloses that the one of the parts (13, 14) has a substantially polygonal interface with the channel being located in one of the corners of the polygonal interface (see Fig 3-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamasaki (US 3,990,782).

Regarding claims 5, 10 & 14, Yamasaki discloses all the limitations of claim 5 or claim 10 (see rejection of claim 1) except for electroluminescent element in the cavity,

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and further Yamasaki does not explicitly disclose that the channel allows pressure inside the cavity to escape into the channel during manufacturing of the device.

However, capillary channel of Yamasaki will inherently act as a pressure relief for the cavity, since any excess liquid crystal material will flow through the channel during the process of manufacturing.

Further, it is well known that the EL elements are sealed in a cavity for protection from the environment. Thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide EL elements inside the cavity, instead of liquid crystal elements to form a sealed protected electroluminescent device.

Claims 11-13 recite essentially the same limitations of claims 2-4 respectively, thus claims are rejected as claims 2-4 respectively.

Allowable Subject Matter

Claims 8-9, & 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 8-9, & 15-20, the prior art of record neither shows nor suggest a channel provides a pressure relief for the thermosetting adhesive during manufacturing.

Regarding claim 15, the prior art of record neither shows nor suggest a channel formed in one of the parts together with other cited limitations.

Other Prior Art Cited

The prior art made of record and not relied upon is considered pertinent to

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applicant's disclosure :


Toya et al. (US 6293843) ; Tanaka et al. (US 3926502); Onodera (JP 10-242315).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karabi Guharay whose telephone number is (571) 272-2452. The examiner can normally be reached on Monday-Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Karabi Guharay
Patent Examiner
Art Unit 2879